
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SIGNS.COM,
FERRARI COLOR,
Plaintiffs,
v.
SA INTERNATIONAL,
Defendant.

MEMORANDUM DECISION
Case No. 2:13-cv-00036-RJS-DBP
District Judge Robert J. Shelby
Magistrate Judge Dustin B. Pead

I. INTRODUCTION

This matter was referred to the Court under 28 U.S.C. § 636(b)(1)(A). (Docket Nos. 40; 58.)

On September 16, 2013, Defendant SA International moved for an enlargement of time to respond to Plaintiffs' discovery requests. (Dkt. No. 58.) For the reasons below, the Court **GRANTS** the motion.

II. FACTUAL BACKGROUND

The parties' fact discovery deadline falls on January 10, 2014. (Dkt. No. 57.) Pursuant thereto, on July 3, 2013, Plaintiffs served interrogatories and document production requests on Defendant. (Dkt. No. 60-1, Exs. A-B.) Defendant's original response deadline fell on August 2, 2013. (Dkt. No. 60 at 1.) Plaintiffs granted Defendant extensions to respond by August 30, 2013. (Dkt. No. 60-1, Ex. C.)

Thereafter, the parties exchanged emails about further extensions. (Dkt. No. 60-1, Ex. D.) Plaintiffs deny granting Defendant any further extensions. (Dkt. No. 60 at 3.) However, Defendant interprets the parties' emails as granting Defendant another extension until September 16, 2013. (Dkt. No. 58 at 2.) On that date, Defendant filed the present motion to again extend the deadline.

III. STATEMENT OF RELEVANT LAW

In general, a party must respond to interrogatories and document production requests within thirty days after service of the requests. Fed. R. Civ. P. 33(b)(2), 34(b)(2)(A). However, a longer time may be stipulated to by the parties, or ordered by the court. Fed. R. Civ. P. 29.

IV. ANALYSIS OF DEFENDANT'S MOTION

Defendant moves for an enlargement of time to serve its discovery responses on September 30, 2013. (Dkt. No. 58 at 2.) Due to surgery complications, and unexpected family matters, Defendant's counsel could not prepare the discovery responses in the week leading up to the September 16, 2013 deadline. (*Id.*)

Plaintiffs oppose Defendant's motion. (Dkt. No. 60.) Plaintiffs claim Defendant's discovery responses are already overdue where Defendant should have served them on August 30, 2013. (*Id.* at 3.) As such, Plaintiffs argue that Defendant "waived any objections to the discovery requests and must produce" its responses. (*Id.*)

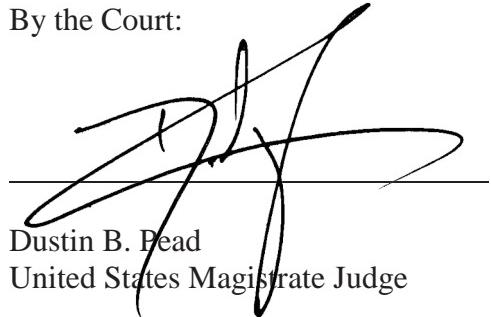
The Court recognizes Plaintiffs' frustrations with Defendant's repeated extension requests. However, the fact discovery deadline in this matter is more than three months away. Under such circumstances, the Court finds Plaintiffs will suffer little prejudice if the Court allows Defendant a brief extension to provide its discovery responses.

V. ORDERS

For the reasons set forth above, the Court **GRANTS** Defendant SA International's motion for enlargement of time. (Dkt. No. 58.) Defendant SA International must serve its discovery responses on Plaintiffs by **September 30, 2013.**¹

Dated this 25th day of September, 2013.

By the Court:



A handwritten signature in black ink, appearing to read "DBR". It is written over a horizontal line.

Dustin B. Read
United States Magistrate Judge

¹ Given the extensions granted to it by both Plaintiffs, and the Court, the Court advises Defendant it will not look favorably upon any further extension requests regarding this particular discovery.